

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

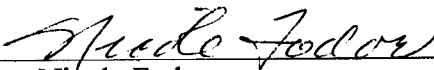
WALTERS GARDENS, INC.,	)	
	)	
Opposer,	)	OPPOSITION NO.: 91153755
	)	
vs.	)	
	)	Mark: PIILU
PRIDE OF PLACE PLANTS, INC.,	)	Serial No.: 76,201,447
	)	Filed: January 29, 2001
Applicant.	)	
	)	
	)	
	)	

**PROOF OF SERVICE**

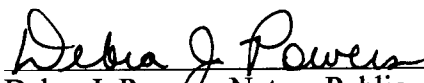
Nicole Fodor, being first duly sworn, deposes and says that on the 7th day of October, 2004, she served Opposer's copies of the testimony transcripts and/or supplemental paper with exhibits of Christopher M. Hansen, Maurice Horn, and Brewster Rogerson, and on information and belief copies of the testimony transcripts of Chad Walters, Clarence Falstad, and John Walters have already been served by Network Reporting on October 5, 2004, upon:

Mr. Gary J. Nelson  
CHRISTIE, PARKER & HALE, LLP  
350 West Colorado Boulevard, Ste. 500  
P.O. Box 7068  
Pasadena, California 91109-7068  
(626)795-9900

via courier.

  
\_\_\_\_\_  
Nicole Fodor

Subscribed and sworn to before me  
this 7th day of October, 2004.


  
\_\_\_\_\_  
Debra J. Powers, Notary Public  
State of Michigan, County of Kent  
My Commission Expires: 07/07/06  
Acting in the County of Kent

WALTERS GARDENS, INC.,	)	
	)	
Opposer,	)	OPPOSITION NO.: 91153755
	)	
vs.	)	
	)	Mark: PIILU
PRIDE OF PLACE PLANTS, INC.,	)	Serial No.: 76,201,447
	)	Filed: January 29, 2001
Applicant.	)	
	)	
	)	

Nicole Fodor, being first duly sworn, deposes and says that on the 7th day of October, 2004, she served Opposer's original and certified testimony transcripts and/or supplemental paper of Christopher M. Hansen, Maurice Horn, Brewster Rogerson, Chad Walters, Clarence Falstad, III, and John Walters, together with the exhibits, upon:

via Express Mail.

Nicole Fodor  
Nicole Fodor

  
Debra J. Powers, Notary Public  
State of Michigan, County of Kent  
My Commission Expires: 07/07/06  
Acting in the County of Kent

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WALTERS GARDENS, INC.,	)	
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Opposer,	)	OPPOSITION NO.: 91153755
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PRIDE OF PLACE PLANTS, INC.,	)	Mark: PIILU
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	)	Filed: January 29, 2001
Applicant.	)	
	)	
	)	
	)	


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**CERTIFICATE OF EXPRESS MAIL**

I hereby certify that the attached certified originals of transcripts and/or supplemental pages of witnesses Christopher M. Hansen, Maurice Horn, Brewster Rogerson, Chad Walters, Clarence Falstad, III, John Walters and related papers are being deposited with the United States Postal Service using Express Mail Service, Express Mail Label No. EV 436 430 158 US in an envelope addressed to:

BOX TTAB NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

on October 7, 2004.

  
\_\_\_\_\_  
Nicole Fodor  
Miller, Johnson, Snell & Cummiskey, P. L.C.  
P.O. Box 306  
250 Monroe Avenue, N.W., Suite 800  
Grand Rapids, MI 49501-0306  
(616) 831-1700

**MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.**  
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 **MERITAS** LAW FIRMS WORLDWIDE

October 7, 2004

*Via U.S. Express Mail*

BOX TTAB NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

**TTAB**

Re: *Walters Gardens, Inc. vs. Pride of Place Plants, Inc.*  
Opposition No. 91153755

To Members of the TTAB Panel:

Enclosed are certified originals of transcripts and/or supplemental pages of the following witnesses offering testimony on behalf of Opposer in the captioned case:

Christopher M. Hansen  
Maurice Horn  
Brewster Rogerson  
Chad Walters  
Clarence Falstad III, and  
John Walters.

These transcripts are being submitted pursuant to § 2.123, along with Proof of Service and Certificate of Express Mail for filing in the captioned opposition.

Thank you for your assistance.

Very truly yours,

MILLER, JOHNSON, SNELL & CUMMISKEY, P.L.C.

By 

Barry C. Kane

BCK/nf  
Enclosures  
cc: Gary J. Nelson, Esq.  
#873132



10-07-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22